

UNITED STATES DISTRICT COURT

District of Massachusetts

Case No. 14-CV-10239 PBS

FILED
IN CLERK'S OFFICE
2016 FEB 8 AM 10:10
U.S. DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Kaveh L. Afrasiabi)

Vs.)

City of Cambridge, Et All.)

Plaintiff's Motion to Further Amend the Complaint in light of Retaliatory Wrongful

Imprisonment

Now comes the Plaintiff Afrasiabi and pursuant to the federal rules of civil procedure prays the court to allow this instant Motion to amend his Complaint by adding new allegations of retaliatory misconduct against him, malicious prosecution, wrongful imprisonment, infliction of bodily harm, emotional damage, and defamation, by adding new causes of action and new defendants.

As grounds for this Motion, Plaintiff states the following:

New Defendants: Commonwealth of Massachusetts, Governor Charles Baker, Cambridge District Attorney Raquel Frisardi, anonymous officers of Middlesex Sheriff's Office

New Causes of Action: Malicious Prosecution, wrongful imprisonment, physical harm, infliction of emotional damage, defamation

FIRST CAUSE OF ACTION

AFRASIABI VERSUS COMMONWEALTH OF MASSACHUSETTS, GOVERNOR CHARLES BAKER, DA RAQUEL FRISARDI: WRONGFUL IMPRISONMENT, MALICIOUS PROSECUTION

1. The above-mentioned new defendants violated Afrasiabi's civil, human, and constitutional rights by causing his wrongful imprisonment. Afrasiabi had exercised his constitutional rights by writing open letters and these defendants should have respected his constitutional rights instead of subjecting him to wrongful arrest and imprisonment for 50 days.
2. Defendant DA Raquel Frisardi is a racist, bigoted, Islamophobic and Iranophobic public official who has displayed utmost vendatta against Afrasiabi solely as a result of Afrasiabi's complaint to the federal court against Cambridge Police, subjecting him to malicious prosecution and wrongful imprisonment in clear violation of his constitutionally-protected rights.
3. Defendant Governor Charles Baker is named a Defendant under the doctrine Respondeat Superior – he should have known that his subordinates in Cambridge District Attorney's Office exercise "legal fascism" by completely ignoring Afrasiabi's

constitutional right to criticize his systematic malicious prosecution by Cambridge District Attorney's Office over a 20-year period, resulting in five frivolous complaints against Afrasiabi, all of which were eventually dismissed.

4. Commonwealth of Massachusetts is directly responsible for the personal damages incurred by the Plaintiff Afrasiabi as a result of his unlawful detention mentioned above.

SECOND CAUSE OF ACTION

AFRASIABI VERSUS COMMONWEALTH OF MASSACHUSETTS, GOVERNOR CHARLES BAKER, DA

RAQUEL FRISARDI: DEFAMTION

1. The above-mentioned new defendants defamed Afrasiabi by subjecting him directly or indirectly to wrongful imprisonment.

THIRD CAUSE OF ACTION

AFRASIABI VERSUS ANNONYMOUS OFFICERS OF MIDDLESEX SHERIFF'S OFFICE: BODILY HARM

1. The above-mentioned new defendants harmed Afrasiabi by their actions complained of herein on November 13, 2015 and December 22, 2015.

FOURTH CAUSE OF ACTION

1. Defendants Cambridge Police and City of Cambridge have relied on Cambridge District Attorney's Office to retaliate against him for bringing this instant law suit against them.
2. Afrasiabi was subjected to wrongful imprisonment from November 11, 2015 until December 31, 2015 as a direct result of malicious prosecution by Cambridge District Attorney's Office led by DA Raquel Frisardi.
3. Afrasiabi had done nothing wrong and simply had exercised his freedom of speech to criticize publicly the abuses of his human rights in the Commonwealth of Massachusetts.
4. On December 30, 2015, the Massachusetts Supreme Court ruled that Afrasiabi had not violated any "gag order" and that the "gag order" issued by a Cambridge District Court Judge was unconstitutional. Afrasiabi was released the next day. *See attached Court Order of Massachusetts Supreme Judicial Court.*
5. On November 13, 2015, Afrasiabi was held inside a cubicle in the back of a transportation van of Middlesex Sheriff's Office for approximately three and a half hours and the officers involved ignored his repeated requests to either turn the air conditioning on or open the back door since there was no air and he was having difficulty breathing. This was tantamount to physical torture.
6. On December 22, 2015, Afrasiabi was transported from Billerica House of Correction to Cambridge District Court as a result of a "clerical error" and he sustained a head injury in the van that was immediately reported to the nurse in jail who put Afrasiabi on medication.

AFRASIABI VERSUS COMMONWEALTH OF MASSACHUSETTS, GOVERNOR CHARLES BAKER, DA

RAQUEL FRISARDI: INFLICTION OF EMOTIONAL DAMAGE

1. The above-mentioned new defendants inflicted severe emotional damage on Afrasiabi by causing directly or indirectly his wrongful imprisonment, whereby Afrasiabi was kept inside a cell for 21 hours a day in a filthy and dangerous environment.

In conclusion, Plaintiff Afrasiabi reiterates that he is well-known political scientist/theologian who has published 11 books and over 600 articles, has done several hundred television interviews, and has been a resident of Massachusetts since 1974. The absolute travesty of justice perpetrated against him in Cambridge is an affront to the idea of American democracy and must be seriously scrutinized and penalized by this Honorable Court.

Demand: Trial By Jury, compensation of \$5000,000.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "K.L. Afrasiabi". The signature is fluid and cursive, with a large initial "K" and "L" followed by a more stylized name.

Kaveh L. Afrasiabi, Pro Se

CC: Sean McKendry, Cambridge City hall, 795 Massachusetts Ave, Cambridge, MA 02139